

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b))	MB Docket No. 02-136
Table of Allotments,)	RM-10458
FM Broadcast Stations.)	RM-10663
(Arlington, The Dalles, Moro, Fossil, Astoria,)	RM-10667
Gladstone, Portland, Tillamook, Springfield-Eugene,)	RM-10668
Coos Bay, Manzanita and Hermiston, Oregon, and)	
Covington, Trout Lake, Shoreline, Bellingham,)	
Forks, Hoquiam, Aberdeen, Walla Walla, Kent,)	
College Place, Long Beach, and Ilwaco,)	
Washington))	

ORDER TO SHOW CAUSE

Adopted: March 3, 2004

Released: March 5, 2004

By the Assistant Chief, Audio Division:

1. The Audio Division has before it a Counterproposal filed by New Northwest Broadcasters, LLC ("NNB"), the licensee of Station KAST-FM, Astoria, Oregon, in response to the *Notice of Proposed Rule Making* ("Notice") in this proceeding.¹ The Counterproposal requests the substitution of Channel 226C3 for Channel 225C1 at Station KAST-FM, Astoria, Oregon, and the reallocation of Channel 226C3 from Astoria to Gladstone, Oregon. This proposal is mutually exclusive with the Notice's proposed allotment of Channel 226A to Trout Lake, Washington. To accommodate the foregoing changes, NNB requests that Channel 230C2 be substituted for Channel 229C at Station KPDQ-FM, Portland, Oregon.² To accommodate the foregoing Portland proposal, NNB requests that Channel 232C3 be substituted for Channel 231C3 at Station KTEL-FM, Tillamook, Oregon. For the reasons discussed below, we are issuing this *Order to Show Cause* directed to Oregon Eagle, Inc. ("Oregon Eagle"), the licensee of Station KTEL-FM, Tillamook, Oregon.

2. In order to proceed with our analysis of the Joint Counterproposal and the ultimate resolution of this proceeding, it is first necessary to issue this *Order to Show Cause* directed to Oregon Eagle to show cause why its Station KTEL-FM license should not be modified to specify operation on Channel 232C3 in lieu of Channel 231C3 at Tillamook, Oregon. Section 316(a) of the Communications Act of 1934, as amended, permits us to modify a license or construction permit if such action is in the public interest. Section 316(a) requires that we notify the affected stations of the proposed action, the public interest reasons for the action, and afford at least 30 days to respond. This procedure is now set forth in

¹ *Arlington, The Dalles, and Moro, Oregon, and Covington and Trout Lake, Washington*, 17 FCC Rcd 10678 (MB 2002).

² The licensee of Station KPDQ-FM has consented to the modification of that station's license from Channel 229C to Channel 230C2 and has agreed to an exchange of consideration in order to cover reimbursement for reasonable costs incurred in implementing the modification of its facilities.

Section 1.87 of the Commission's Rules.³ In this instance, the substitution of Channel 232C3 for Channel 231C3 at Tillamook, Oregon, will accommodate the allotment of Channel 230C2 to Portland, Oregon. We consider this change in channels for Station KTIL-FM, Tillamook, Oregon, to have sufficient public interest benefits to justify the issuance of a show cause order.

3. The Station KTIL-FM license at Tillamook, Oregon, can be modified to specify operation on Channel 232C3 at its currently authorized transmitter site.⁴ NNB has agreed to reimburse Oregon Eagle for the reasonable costs incurred in connection with the change of the Station KTIL-FM channel.

4. Accordingly, IT IS ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, Oregon Eagle, Inc., licensee of Station KTIL-FM, Tillamook, Oregon, SHALL SHOW CAUSE why its license should not be modified to specify operation on Channel 232C3 in lieu of Channel 231C3.

5 Pursuant to Section 1.87 of the Commission's Rules, Oregon Eagle, Inc. may, no later than April 5, 2004, file a written statement showing with particularity why its license should not be modified as proposed in this *Order to Show Cause*. The Commission may call upon the licensee to furnish additional information. If the licensee raises any substantial and material questions of fact, a hearing may be required to resolve such questions of fact pursuant to Section 1.87 of the Rules. Upon review of the statements and/or additional information furnished, the Commission may grant the modification, deny the modification, or set the matter of modification for hearing. If no written statement is filed by the date referred to above, the licensee will be deemed to have consented to a modification as proposed in this *Order to Show Cause* and a final Order will be issued if the modification is found to be in the public interest

6. IT IS FURTHER ORDERED, that a copy of this *Order to Show Cause* shall be sent BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to the following:

Oregon Eagle, Inc.
P O. Box 40
Tillamook, Oregon 97141
(Licensee of Station KTIL-FM)

J. Dominic Monahan, Esq.
Luvaas Cobb Richards & Fraser, PC
P O. Box 10747
Eugene, Oregon 97440-2747
(Counsel for Oregon Eagle, Inc.)

³ See *Modification of FM and Television Licenses Pursuant to Section 316 of the Communications Act*, 2 FCC Rcd 3327 (1987)

⁴ The reference coordinates for Channel 232C3 at Tillamook, Oregon, are 45-27-59 NL and 123-55-11 WL

7. For further information concerning this proceeding, contact R. Barthen Gorman, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Media Bureau